

Joint Leadership Council of Veterans Service Organizations
Meeting Minutes
May 11, 2005

A meeting of the Joint Leadership Council of Veterans Service Organizations (JLC) was held on Wednesday, May 11, 2005, in the National Chaplain Center Conference Room at the Hampton VA Medical Center, Hampton, Virginia.

Members Present

Jim Aucoin, *American Veterans*; John Bonnell, *Marine Corps League*; Mason Botts, *Air Force Association*; George Dumas, *Homeless and Disabled Veterans*; Pat Green, *Roanoke Valley Veterans Council*; John Jackson, *Paralyzed Veterans of America*; Norman Jasper, *Military Order of the Purple Heart*; James Jones, *Korean War Veterans Association*; Jon Mangis, *Commissioner, Department of Veterans Services*; Daniel Miller, *Disabled American Veterans*; Connie O'Neill, *American Legion*; Richard Rinaldo, *Legion of Valor of the U. S., Inc.*; Peter Snelling, *Veterans of Foreign Wars*; and Sam Wilder, *Association of the United States Army*.

Members Absent

John Anderson, *Chairman, Board of Veterans Services*; John Dunleavy, *Veterans of the Battle of the Bulge*; David Ellis, *NAUS*; Paul Fink, *U. S. Navy Cruiser Sailors Association*; Robert Gray, *American Ex-Prisoners of War*; Michael Hulsey, *Reserve Officers Association of the U.S.*; R. Goodwin Sacra, *Navy Seabee Veterans of America*; Ronald Shamblin, *Virginia National Guard Association*; Richard Schneider, *Non-Commissioned Officers Association*; Thomas Snee, *Fleet Reserve Association*; and Frank Wickersham, *MOAA*. Mr. Wickersham was absent because he is serving in Kuwait and Iraq as a Department of Defense support contractor on an urgent armoring project for fuel tankers.

Others Present

Laura Alexander, *American Legion, Second District*; John Anderson, *Manager, Hampton Field Office, Virginia Department of Veterans Services*; Bert Boyd, *Chief Deputy Commissioner, Virginia Department of Veterans Services*; Steven Combs, *Assistant to the Commissioner, Virginia Department of Veterans Services*; Rhonda Earman, *Administrative Supervisor, Virginia Department of Veterans Services*; Fred Fralin, *Benefit Services Administrator, Virginia Department of Veterans Services*; Don Ferguson, *Office of the Attorney General*; Paul Hamaker, *representing NAUS on behalf of David Ellis*; Don Kaiserman, *representing MOAA on behalf of Frank Wickersham*; Larry Mattera, *Veterans of Foreign Wars*; Roger Messier; C. P. Powell, *American Legion Post 25*; Gerald Rhoads, *American Legion Post 25*; Allen Wilson, *Homeless and Disabled Veterans*; and Channing Zucker, *representing the U.S. Navy Cruiser Sailors Association on behalf of Paul Fink*.

Materials Distributed

Meeting Agenda; draft Minutes of the February 23, 2005, meeting; JLC Constitution and Bylaws; Draft JLC 2006 Legislative Agenda; VCOC-MOAA State Legislative Objectives; AUSA Proposed State Legislative Goals; "The Case for In-State Tuition" and states' comparison/Virginia summary of in-state tuition from U. S. Army web site; Homeless Veterans

graphics presentation; Homeless and Disabled Veterans' press package for Veterans Annual Telethon; Draft Resolution – Jane Fonda; “Jane Fonda in Wonderland – Non-apology Not Accepted,” Lehtinen, D., National Review Online, April 29, 2005; Commissioner's Update graphics presentation; list of JLC member organizations' web site addresses; “Surviving Paperwork War – Getting Compensation for War-related Injuries is a Bureaucratic Nightmare that Drives Veterans to the Edge with ‘Claims Anxiety’,” Bull, J., Hampton Roads Daily Press, April 17, 2005; “A Final Honor – Service Member's Dream Provides Final Resting Spot for Veterans,” Sorlie, D., Soundings Online, May 4, 2005; flyers for the remaining 2005 Supermarkets of Veterans Benefits; and JLC Membership Roster.

Call to Order

With 12 of 23 voting members present, Chairman O'Neill called the meeting to order at 11:05 a.m. Mr. Jackson arrived shortly after the meeting began, for a total of 13 of 23 voting members present.

Approval of Minutes

A **motion** was made, seconded, and passed unanimously to approve the minutes of the February 23, 2005 meeting, as drafted.

Unfinished Business

There was no unfinished business.

Homeless and Disabled Veterans Presentation

George Dumas began his presentation by saying that Leon Fields, the Chairman of Homeless Veterans Program, Veterans of Foreign Wars Department of Virginia, was ill and could not attend the meeting as planned. Dr. Dumas said the Homeless and Disabled Veterans organization is supported entirely through the efforts of dedicated volunteers.

Dr. Dumas introduced Homeless and Disabled Veterans National Chairman Allen Wilson. Mr. Wilson provided a video presentation on the Veterans Annual Telethon, which Homeless and Disabled Veterans hopes to air on Veterans Day, November 11, 2005, on independent television stations across the country. Mr. Wilson asked the JLC members for their organizations' support of the telethon through monetary donations, volunteer help and publicity of the telecast. Mr. Wilson noted that, because Homeless and Disabled Veterans is a 501(c)(3) organization, all donations for the telecast are tax-exempt. Mr. Snelling emphasized the importance of Homeless and Disabled Veterans providing verification to prospective donors of the tax-exempt status.

Discussion followed about the homeless and disabled veterans programs. Mr. Rinaldo asked whether only those veterans with cognitive, emotional or substance abuse problems qualified for homeless and disabled programs. Mr. Snelling said the VFW has a formal mechanism for evaluating eligibility for its homeless and disabled veterans programs, with the primary criteria being a willingness for the veterans to help themselves. Mr. Snelling added that most of the veterans participating in the programs do have mental or substance abuse problems. Mr. Green said the Roanoke Valley Homeless and Disabled Veterans Program is funded entirely through

private donations. Mr. O'Neill suggested that this discussion be continued at future JLC meetings.

Report of the Ad Hoc Sub-Committee on State Veterans' Benefits

Mr. Rinaldo stated that the sub-committee had provided its report at the last JLC meeting. Commissioner Mangis added that the National Association of State Directors of Veterans Affairs has information on its web site about the various veterans benefits offered by each state. Mr. Mangis promised to send a summary of that information to the JLC members following the meeting. Mr. O'Neill said this information could be used as a advocacy tool with federal and state law and policy makers.

Mr. Mangis said that the common thread among all states is veterans benefits services and that 49 of 50 states have care centers, with Alaska hoping to add a care center in the future. Commissioner Mangis emphasized the importance of benefits services outreach by locating service offices near population centers and augmenting that outreach with itinerant service points.

In-State Tuition Report

Sam Wilder began his report by saying that three years ago, the U. S. Army found that eligibility for in-state tuition rates for soldiers and family members was inconsistent across the 50 states. The Army set a desired outcome that the states' in-state tuition programs should be consistent, based on three criteria:

1. For service and family members within their state of legal residence;
2. For service and family members while in the state of assignment; and
3. Continuity of in-state tuition once established

Mr. Wilder then compared the Army's desired consistency outcomes with the status of Virginia's in-state tuition programs:

1. *Eligibility in state of legal residence* – military personnel and their spouse/dependents remain eligible for in-state tuition benefits as long as Virginia remains their home of record.
2. *Eligibility in state of assignment* – upon arrival in the state of Virginia on military orders, spouses/dependents are eligible to receive the in-state tuition benefit for one year.
3. *Continuity of in-state eligibility once established* – the in-state tuition benefit continues only if the non-military spouse establishes residence and earns at least \$10,800 within the first year of assignment in Virginia.

Mr. Wilder noted that Virginia currently meets only the first desired outcome, while the states contiguous to Virginia – Kentucky, Maryland, North Carolina, Tennessee, and West Virginia – meet all three. Mr. Wilder said that, currently, eligibility is based on whether the service member and/or his family pay taxes in Virginia. Mr. Wilder also said Delegate Baskerville introduced a bill during the 2005 General Assembly session (HB 2567) that would have provided in-state tuition for all military personnel on active duty for more than 30 days living in Virginia and

assigned to a permanent duty station. Mr. Wilder said that bill was stricken by the patron, and that another, similar bill was left in committee. Mr. Wilder noted that there seems to be a reluctance, generally, by the General Assembly to grant in-state tuition rates unless the service member pays Virginia taxes. Mr. Wilder stated, however, that Senator Walter Stosch's proposal, that service members enrolled in the Virginia Community College System for at least two years be allowed to transfer to a four-year institution and receive in-state tuition, is a step in the right direction.

Mr. O'Neill asked if the state would absorb the difference in the in-state and out-of-state rates. Mr. Wilder responded that the governing boards of individual institutions have some latitude in that decision and that some Virginia schools have reciprocal tuition agreements with institutions outside Virginia. Mr. Ferguson noted that each state institution receives an appropriation from the General Assembly and that it is up to the schools to fill any funding gaps. Mr. Wilder suggested that a portion of the state's revenue surplus might be used to fill this need. Mr. Ferguson emphasized that the term "revenue surplus" is a relative, saying that his understanding is that this money has been allocated to replenish the Commonwealth's Rainy Day Fund. Mr. Ferguson said that even with that allocation, the Rainy Day Fund still would not be at the desired level. Mr. Ferguson added that the surplus might also be used to shore up K-12 education funding, which has been diminished in recent years by state budget shortfalls.

Mr. Rinaldo said he thought the number of service members taking advantage of an in-state tuition program would be minimal and recommended that a cost analysis be done. Mr. Rinaldo emphasized that if the cost is low and funding can be found for the program, it would provide a substantial public relations benefit for Virginia. Commissioner Mangis supported this idea, saying that Commonwealth wants to attract military retirees.

A **motion** was made, seconded, and passed with Mr. Botts dissenting, that the JLC include in its 2006 legislative agenda the objective of Virginia meeting two of the three desired outcomes outlined by Mr. Wilder. Mr. Botts said he believes it is unreasonable for anyone to expect such a benefit without paying Virginia taxes.

Commissioner's Update

Commissioner Mangis began his report by thanking the staff of the Hampton VA Medical Center for allowing the JLC to use its facilities for the meeting.

Commissioner Mangis then briefed the Council on the DVS budget amendments passed during the 2005 General Assembly Session.

The Governor's initial proposal, based on the Department of Planning and Budget's recommendations, was for an additional \$630,000, which included a \$47,000 maintenance reserve and filling of all currently authorized Full-Time Employee (FTE) positions. Delegate Cox patroned a budget amendment for an additional \$276,000, which included hiring six new veterans service representatives (VSRs), over and above the Governor's proposal. Delegate Cox's budget amendment as passed was in the amount of \$300,000. Another budget amendment patroned by Senator Edwards provides funding to support a study on the need for a third veterans

care center in the Hampton Roads area. Commissioner Mangis added that the Hampton VA Medical Center is receptive to the idea of a care center being located adjacent to it.

Commissioner Mangis said that because no training and travel funds were allocated during the regular General Assembly session for the additional VSR positions, Governor Warner included an additional \$124,000 for this purpose during the reconvened session.

Commissioner Mangis emphasized the importance of adequately supporting the current field staff with sufficient training and equipment before adding new field offices.

Commissioner Mangis noted that in 2004 the Commonwealth received approximately \$1.8 billion in revenues generated from VA programs, and of that amount, approximately \$800 million was in the form of direct benefit payments. In Federal FY2002, an additional \$3.5 billion was paid to military retirees residing in the Commonwealth. This was mentioned to show the economic impact that veterans have on the Commonwealth.

Commissioner Mangis said DVS already has begun working with the Board of Veterans Services to develop a strategic plan for the 2006-2008 biennial budget.

Commissioner Mangis emphasized the importance of communicating benefits information to veterans and said the Supermarkets of Veterans Benefits will help achieve this goal. Mr. Mangis said that in addition to the Supermarket that was held on April 21 in South Boston, three more are scheduled for this year, and he asked for the support of JLC member organizations in getting the word out.

Mr. Mangis said it also is important for the VSOs to coordinate their activities with DVS initiatives like the Supermarkets, in order to avoid duplication of effort and so that the Supermarket events will attract more attendees. Commissioner Mangis pointed out that the MOPH sent one of their service officers to South Boston on the Saturday prior to the Supermarket event to help veterans file disability claims. While commending MOPH's efforts to serve veterans, he pointed out that, unfortunately, this action may have resulted in low attendance at the Supermarket, as veterans who sought assistance from MOPH on Saturday may not have felt the need to attend the Supermarket the following Thursday.

Commissioner Mangis said that while the veterans that attended the MOPH event may have received some assistance on disability claims, they missed the opportunity to speak with experts from 16 state and federal agencies that offer services to veterans and that may have been able to help them. Commissioner Mangis noted the organizations that participated in the South Boston Supermarket, including the Department of Veterans Services (Benefits, Cemeteries, and Education) Department for the Blind and Vision Impaired, the Department of Labor and Industry, the Department of Motor Vehicles, the Department of Rehabilitative Services, the Department of Social Services, the Virginia Housing Development Authority, the U.S. Department of Veterans Affairs (Benefits, Homeless Veterans, Home Loan, and Voc/Rehab), the McGuire VA Medical Center, the Social Security Administration, the TriCare Regional Office, the U.S. Small Business Administration, Virginia Troops to Teachers, the Disabled American Veterans, and the Veterans

of Foreign Wars.

Commissioner Mangis reported that he had attended a ceremony at the Virginia Veterans Cemetery on May 5 honoring the donation of a Blue Star Memorial Byway Marker by the Virginia Federation of Garden Clubs, Inc. Mr. Mangis said similar memorials may be placed at the Virginia Veterans Care Center and the Albert G. Horton, Jr. Memorial Veterans Cemetery in the future.

Commissioner Mangis then introduced DVS Benefits Administrator Fred Fralin, who provided an update on recent and planned hirings of additional VSRs. Mr. Fralin said that VSR positions in the Big Stone Gap, Charlottesville, Wytheville and Lynchburg offices had been filled and that a veterans service administrator (VSA) position had been filled in the Cedar Bluff office. Mr. Fralin said that the vacant VSR positions in the Richmond and Tidewater offices would be filled shortly after July 1, and that the part-time VSR positions in the Accomac and Front Royal offices will become full-time after July 1. Mr. Fralin added that the part-time VSA positions in the Charlottesville, Front Royal, Quantico, Richmond, and Tidewater offices would also become full-time positions after July 1. In addition, Mr. Fralin reported that six new VSRs would be hired after July 1, and will staff new offices in the Danville, Northern Virginia, Richmond, and Tidewater areas. Mr. Fralin said that hiring preference is given to veterans if candidates are equally qualified. Mr. Fralin also said DVS is trying to secure office space near VA Benefits Delivery at Discharge (BDD) locations in the Alexandria/Pentagon and Portsmouth areas.

Mr. Fralin reported that all new VSRs will be trained by experienced VSRs and that a technical reference manual has been developed by DVS Regional Benefits Manager Sam Brown for this purpose. Mr. Fralin reported that all new VSRs would be tested in phases on what they have learned and how well they apply their knowledge on the job.

Mr. Mangis then introduced John Anderson, manager of the DVS Hampton field office. Mr. Anderson briefed the Council on the Hampton field office's staffing levels and service areas. Mr. Anderson stated that his office was the department's second busiest in Fiscal Year 2004 and that service volume is on track to be even higher this year.

Dr. Dumas praised the DVS web site content and suggested that veterans statistics be added to it.

New Business

Chairman O'Neill then opened the floor for discussion on the draft 2006 JLC Legislative Agenda.

Item 1, Third Veterans Care Center – Commissioner Mangis said that DVS needed to issue a Request for Proposal (RFP) for a third Care Center study in the near future. He noted that the department needs to have a study provider by July 1, 2005. Everyone agreed that a dollar figure for the estimated design/construction costs needs to be included with this item, and Commissioner Mangis agreed to provide that information at the next meeting.

Item 2, Third State Veterans Cemetery – Pat Green reported that the effort to acquire a specific piece of donated land to construct a third veterans cemetery in Southwest Virginia is on hold, because of some technical difficulties that may exist with the site. Mr. Green said that other donors are being considered, including the Virginia Department of Transportation and Virginia Tech. Commissioner Mangis noted that approval of the site and securing of VA grant funding is a multi-year process, but that the VA is receptive to the prospect of a third veterans cemetery in Virginia. A **motion** was made by Pat Green, seconded by Dan Miller and passed unanimously to include this item in the legislative agenda, contingent upon receiving donated land in Fiscal Year 2007 and the provision of design funds in Fiscal Year 2008.

Item 3, Travel Reimbursement for JLC Members – There was discussion on how best to approach this item, whether through a statutory change, eliminating the provision that members will not be reimbursed, or by adding a reimbursement amount in the budget bill during the General Assembly session. Mr. Ferguson noted that the budget bill would trump the statutory change. Mr. Rinaldo suggested changing the statute to ensure reimbursement.

Item 4, Quorum Requirements at JLC Meetings – there was discussion on the various options for achieving a sufficient number of voting members at the meetings to conduct Council business. Mr. Green made a **motion**, which was seconded by Mr. Miller, that JLC member organizations appoint alternates, or proxies, that have the authority to vote if the gubernatorial appointee is not present, and that if travel expense reimbursement becomes available, only one member would be eligible for reimbursement. Mr. Ferguson advised that reducing the number required to achieve a quorum in the statute would be a simpler than the proxy option. Mr. Ferguson also said it was within the discretion of the JLC to reduce the number of “qualified VSOs” represented on the Council. It was noted that meeting attendance records are submitted to the Secretary of the Commonwealth annually, and that it is within the discretion of the Governor to remove members who do not attend regularly.

It was agreed that the best approach to improve attendance would be to contact those members directly who have missed several meetings and, therefore, Pat Green rescinded his earlier motion. A **motion** was made by Mason Botts, seconded by Pat Green and passed unanimously to remove this item from the legislative agenda and that members with poor attendance be contacted directly by one of their peers on the Council before contacting their member organization or requesting that the Secretary of Commonwealth take action to remove them. Pat Green and Mason Botts agreed to telephone the members with poor attendance.

Item 5, New Education Wing for Virginia War Memorial – a **motion** was made by Pat Green, seconded by Dan Miller and passed unanimously to delete this item from the legislative agenda because design funds (contingent upon matching funds) were provided in the Governor’s budget. This item was now considered closed.

Item 6, Security for Virginia War Memorial – it was agreed that Commissioner Mangis would prepare a letter for Chairman O’Neill’s signature to be sent to the Speaker of the House of Delegates requesting on-site security for the Memorial, and that the Speaker’s response would dictate whether this item would remain on the legislative agenda.

Items 7 and 8, Unique Medals for Virginia Service Men and Women Serving in Iraq and for Women Cited of Heroism – it was agreed that since the Adjutant General is addressing these issues, there is no need to include them as JLC legislative agenda items.

New Item 8 – Everyone agreed that In-State Tuition should be added to the legislative agenda, with the goal of achieving two of the three desired outcomes outlined by Mr. Wilder earlier in the meeting.

Mr. Wilder suggested prioritizing the agenda items, and Mr. Bonnell proposed making in-state tuition a high priority.

Chairman O'Neill then read from VCOC-MOAA's list of legislative priorities, which includes an increase in state funding for National Guard recruiting, bonuses and health care. Strengthening the Guard and Reserves also is a legislative goal for the AUSA. Chairman O'Neill asked Messrs. Wilder and Kaiserman to draft a statement on strengthening the Guard and Reserve to be considered by the JLC at its next meeting for inclusion in its 2006 legislative agenda.

Mr. O'Neill then opened the floor for discussion on a proposed General Assembly resolution declaring Jane Fonda a *persona non grata* in the Commonwealth. Although all personally agreed with the thrust of the resolution, all but one Council member agreed that it would not be in the best interests of the JLC and its member organizations to endorse such a resolution.

Mr. O'Neill then opened the floor for nominations for JLC Chairman and Vice Chairman for the coming year. George Dumas, Pat Green, Frank Wickersham, and Mason Botts were nominated to serve as Chairman. George Dumas, Pat Green, and Sam Wilder were nominated to serve as Vice Chairman. It was agreed that elections would be of individual candidates not candidate slates. Chairman O'Neill said voting would take place at the next meeting.

Public Comments

Larry Mattera emphasized the importance of regular attendance by JLC members at Council meetings and said that state commanders of member organizations can be instrumental in helping the JLC achieve this goal. Mr. Mattera also reported that the Military Order of the Purple Heart recently had placed benches at the Albert G. Horton, Jr. Memorial Veterans Cemetery.

Closing Remarks

Mr. Jasper reported on the ROTC-JROTC leadership awards that recently had been given by the Military Order of the Purple Heart.

Commissioner Mangis added that he expects the property transfer issues for the Richmond Care Center to be resolved soon. Mr. Mangis said DVS also is in the process of reviewing bids for the construction project.

Steven Combs announced that a ceremony marking the 60th Anniversary of the VA's Chaplain Service would be held on May 23 at the Hampton VA Medical Center and that the JLC members had been invited to attend.

Paul Hamaker reported on Congressional measures to redefine the meaning of the term "veteran," an effort which may exclude some veterans from receiving certain VA benefits, especially health care benefits. Mr. Hamaker urged the JLC to advocate against such measures. Commissioner Mangis responded that the JLC primarily is concerned with state legislative initiatives, but that as a veteran himself, he is concerned about the Bush Administration's budget proposals limiting veterans benefits. Dr. Dumas thanked Mr. Hamaker for his comments and emphasized the importance of the VSOs working at the federal and state level to ensure that veterans receive the benefits they deserve.

Mr. O'Neill stated that this would be his last full meeting as Chairman and thanked everyone for their support during his tenure.

Next Meeting

The next meeting of the JLC was scheduled for July 13 at 11 a.m., at the American Legion Department of Virginia in Richmond, subject to availability of the facility.

Adjournment

There being no further business, the meeting was adjourned at approximately 2:50 p.m.